

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

INVENTOR: Christopher Clemmett Macleod Beck et al.
CASE: P3324CMBOC1
SERIAL NO.: 10/777,847
GROUP ART UNIT: 2154
FILED: 02/11/2004 **EXAMINER:** Jean Frantz, B
SUBJECT: Method and Apparatus for Providing Media-Independent Self-Help
Modules Within a Multimedia Communication-Center Customer
Interface

PARTY IN INTEREST: All inventions in the disclosure in the present case are
assigned to or assignable to: Genesys Telecommunications Laboratories,
Inc.

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

APPEAL BRIEF

1.0 Real Party in Interest

The real party in interest is Genesys Telecommunications Laboratories, Inc.

2.0 Related Appeals and Interferences

This is an appeal from the Office Action of the Examiner dated January 11, 2008, finally rejecting claims 15-28.

3.0 Status of the Claims

Following is the status of all claims in the instant case:

- 1 – 14. Cancelled.
- 15. Rejected - appealed in this brief; independent.
- 16. Rejected - appealed in this brief; dependent.
- 17. Rejected - appealed in this brief; dependent.
- 18. Rejected - appealed in this brief; dependent.
- 19. Rejected - appealed in this brief; dependent.
- 20. Rejected - appealed in this brief; dependent.
- 21. Rejected - appealed in this brief; dependent.
- 22. Rejected - appealed in this brief; independent.
- 23. Rejected - appealed in this brief; dependent.
- 24. Rejected - appealed in this brief; dependent.
- 25. Rejected - appealed in this brief; dependent.
- 26. Rejected - appealed in this brief; dependent.
- 27. Rejected - appealed in this brief; dependent.
- 28. Rejected - appealed in this brief; dependent.

4.0 Status of Amendments

No amendments have been filed subsequent to the rejection of claims 15-28, the subjects of this appeal.

5.0 Summary of the Claimed Subject Matter

Following is a concise explanation of the subject matter defined in the independent claim including its dependent claims.

5.1 Independent system claim 15

15. (Previously presented) In a communication system with multiple modes of communication, a user support system, comprising (Fig. 5; 133):

an interface for accepting information from outside users and for presenting information to the users (Fig. 5, 133; [0375]); and

an information software configured to a specific user ([0377]; Fig. 20, 423; [0378];

wherein, upon a contact from the specific user, the information software presents to the user an interface automatically updated with available information according to user interaction and/or request ([0378]; [0379]).

Appellant's claim 15 recites limitations for a communication system providing user support in an enterprise comprising an interface for exchanging information with outside users and information software tailored or configured to a specific user and upon a contact from the specific user, the information software presents to the user an interface automatically updated with available information according to user interaction and/or request.

5.2 dependent claims 16-21

16. (Previously presented) The system of claim 15 wherein the information software is

accessible and programmable by a worker connected by a computerized workstation to the user support system (Fig. 20, 425; [0382]).

17. (Previously presented) The system of claim 15 wherein media available for information exchange includes one or more of WEB interface, e-mail, interactive voice response, facsimile reception, and downloading of video documents (Fig. 20, 427, 429, 435, 439, [0386]-[0392]).

18. (Previously presented) The system of claim 15 wherein the specific user may select a media type, initiating a call back in the media selected.

19. (Previously presented) The system of claim 18 wherein, by selecting connection-oriented switched-telephony (COST) or IP telephony, the system places a call by an Interactive Voice Response (IVR) unit to the specific user through a telephone number or IP address for the user, and the IVR then interacts with the user to provide specific help to the user ([0398]).

20. (Previously presented) The system of claim 15 further comprising an ordering function tailored to the specific user, the ordering function providing an ordering interface for parts and services (Fig. 20, 441; [0392]).

21. (Previously presented) The system of claim 15 wherein the information software comprises a reporting function, and the reporting function monitors user activity and makes that activity available to an enterprise agent (Fig. 20, 451; [0397]).

5.3 Independent method claim 22

22. (Previously presented) A method for providing user support in a multimedia system (Fig. 5, 133), comprising steps of:

- (a) accepting information from a specific user through an interface (Fig. 5, 133;

[0375]); and

(b) presenting to the specific user by an information software configured to the specific user an interface automatically updated with available information according to user interaction and/or request ([0378-0379]).

Claim 22 provides a method for users to access support in different media by accepting information from the user through an interface and software is customized to the user and the interface is automatically updated with information according to the user's interaction and/or request.

5.4 dependent claims 23-28

23. (Previously presented) The method of claim 22 wherein the information software is accessible and programmable by a worker connected by a computerized workstation to the multimedia system (Fig. 20, 425; [0382]).

24. (Previously presented) The method of claim 22 wherein media available for information exchange includes one or more of WEB interface, e-mail, interactive voice response, facsimile reception, and downloading of video documents (Fig. 20, 427, 429, 435, 439; [0386]-[0392]).

25. (Previously presented) The method of claim 22 wherein the specific user may select a media type, initiating a call back in the media selected.

26. (Previously presented) The method of claim 25 wherein, by selecting connection-oriented switched-telephony (COST) or IP telephony, the system places a call by an Interactive Voice Response (IVR) unit to the specific user through a telephone number or IP address for the user, and the IVR then interacts with the user to provide specific help to the user ([0398]).

27. (Previously presented) The method of claim 22 further comprising a step for presenting an ordering function tailored to the specific user, the ordering function providing an ordering interface for parts and services (Fig. 20, 441; [0392]).

28. (Previously presented) The method of claim 22 wherein the information software comprises a reporting function, and the reporting function monitors user activity and makes that activity available to an enterprise agent (Fig. 20, 441; [0397]).

6. Grounds of Rejection to be Reviewed on Appeal

The Examiner finally rejects claims 15-18, 20-25 and 27-28 under 35 U.S.C. 102(e) as being anticipated by Austin U.S. patent number 6,157,924. Claims 19 and 26 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Austin in view of Bateman et al. (hereinafter Bateman) US patent Number 5,884,032.

7. Argument

Following is a presentation of arguments against the rejection put forth by the Examiner and responded to by Appellant.

7.1 35 U.S.C. 35 U.S.C. 102(e) against claim 15 and 22

The Examiner's Arguments Regarding Independent Claims 15 and 22:

As per claims 15 and 22, Austin teaches a user support system, comprising: an interface (a web page) for accepting information from outside users and for presenting information to the users (col. 7 lines 25-35); and an information software configured to a specific user (col. 12 lines 28-46); wherein, upon a contact from the specific user, the information software presents to the user an interface automatically updated with available information according to the user interaction and/or request (col. 12 lines 40-67).

Appellant's Response

Appellant respectfully traverses the Examiner's statement that Austin teaches software configured to a specific user or that the software presents to the user an interface automatically updated with available information according to the user interaction and/or request. Appellant argues that column 12 of Austin teaches alternative messaging operations limited to an ability to adhere to a media choice made by a user in a request for information, or, if the user does not specify media preference in the request, accessing a user profile to determine the media preference listed in the user's profile.

Appellant points out that claim 15 and 22 both recite information software is configured to a specific user. Appellant argues that Austin's ability to provide information to a user in a specified media (either by request or stored) cannot read on appellant's claimed ability of configuring information *software* for a specified user. The limitation of configuration to a specific user therefore renders the claim patentable over Austin.

Appellant's claims recite; "upon a contact from the specific user, the information software presents to the user an interface automatically updated with available information according to user interaction and/or request. The portion of Austin relied upon by the Examiner specifically recites; "*...a user profile is stored within one or more database servers. A user (customer) requests information from a business via the Statement Distribution Application 52 (FIG. 3). The Statement Distribution Application may update the user's profile to include additional information or to modify or delete existing information.*

Referring now to FIG. 6B, a user may modify his/ her user profile (Block 102). An information provider may also modify a user's profile and or a user's profile may be modified automatically via information received via a user's requests (Block 104). The term "modify" includes adding data, changing existing data, and deleting data within a user profile. In the Bank U.S.A. example, a user (customer) may make additions, changes and or deletions to his her profile via the Statement Distribution Application.

Referring now to FIG. 6C, a user may specify one or more delivery media with his her request for information (Block 112). If a delivery medium is specified in a user request for information, the specified delivery medium is used (Block 114). If no specification as to delivery medium accompanies the information request, the user profile is searched to determine the user's preferred delivery medium (or media) (Block 120). In the Bank U.S.A. example, user profile searching (Block 120) is carried out via the Statement Distribution Application which searches the user profile located within the database server. The requested information is then retrieved (Block 130)."

Appellant points out that nowhere in the above teaching of Austin is there any text relating to appellant's limitation reciting; "upon a contact from the specific user, the information software *presents to the user an interface automatically updated with available information* according to user interaction and/or request. (Emphasis added)

Appellant argues that the limitation "automatically updated with available information" does not relate to selecting a media type in response to an information request" as taught in Austin. In appellant's invention, based on a previous request of information and/or based on a user's previous interactions wizard 423 enables a client networking with a CINOS-enhanced enterprise to gain access to a host of pre-prepared automated responses that are tailored to specific products or services of interest to the client. In the case of an enterprise business associate such as an outside vendor, those responses are tailored to the exact nature of the associate's business with the enterprise. In this manner a user, when initially accessing the interface may instantaneously be presented with desired information without having to interact with the interface or directly request the information. Austin fails to teach such an ability.

Therefore, the 102(e) rejection fails and claims 15 and 22 are patentable over the art of Austin.

Examiner's arguments against dependent claims 16 and 23

As per claims 16 and 23, Austin teaches information software that is accessible and programmable by a worker connected by a computerized workstation to the user

support system (col. 4 line 57 to col. 5 line 5).

Appellant's response

Applicant does not believe the portion of Austin referenced by the Examiner actually teaches information software that is accessible and programmable by a worker connected by a computerized workstation to the user support system, as claimed. This is important in the present invention as additional tailoring to a specific user may be performed thereby customizing the interface for a user. Appellant reproduces the portion of Austin relied upon by the Examiner below:

"The software for implementing the present invention comprises a plurality of modules, each controlling operations described in detail below. Preferably, each module comprises computer code written Java®. However, the present invention may be written in other object oriented programming languages such C++ and Smalltalk, and in other procedural programming languages such as BASIC, FORTRAN or COBOL. Preferably, the software runs on current standard Web server platforms such as, but not limited to, Windows 95®, Windows NT®, UNIX®, OS 2®, Sun Solaris®, and Apache. Portions of the software is designed to execute within the browser on the client. The present invention utilizes, in part, many standard features of current client-server and desk-top configurations, such as the ability to store data locally, connect to the Internet, and display visual information."

As clearly demonstrated above, there is absolutely no mention of information software that is accessible and programmable by a worker connected by a computerized workstation to the user support system, as claimed. The existence of software and a desktop in the art will not suffice to teach said limitation, as claimed.

Examiner's arguments against dependent claims 17 and 24

As per claims 17 and 24, Austin teaches one or more of Web interface, email,

interactive voice response, facsimile reception, and downloading of video documents (col. 7 lines 48-65).

Appellant's response

Applicant believes that even though Austin may teach multimedia servers, the art does not teach exchanging information in said media with a specific user operating a user support system a user support system, as claimed in base claim 15. Therefore, claims 17 and 24 are patentable on their own merits, or at least as depended from a patentable claim.

Examiner's arguments against dependent claims 18 and 25

As per claims 18 and 25, Austin teaches a user specific that may select a media type, initiating a call back in the media selected (see col. 2 lines 42-62).

Appellant's response

Applicant points out that Austin merely teaches accessing a stored profile for a user which may specify the type of media preferred to receive documents. Applicant claims that the user selects a media. Applicant believes claims 18 and 25 are patentable on their own merits, or at least as depended from a patentable claim.

Examiner's arguments against dependent claims 20 and 27

As per claims 20 and 27, Austin teaches ordering function that provides an ordering interface for parts and services (a web page, col. 7 lines 25-65).

Appellant's response:

Applicant points out the actual language of the limitation in claims 20 and 27 recite; "an ordering function tailored to the specific user, the ordering function providing an ordering interface for parts and services." Applicant does not believe it is appropriate for the Examiner to remove parts of a limitation in the examination process. The portion

of Austin, relied upon by the Examiner to read on appellant's dependent claims 20 and 27 reads as follows:

"A Web server 20 may have a configuration similar to that of a client 10 and may include a central processing unit 21, a display 22, a pointing device 23, a keyboard 24, access to persistent data storage 25, and an Internet connection 26 for connecting to the Internet 17 via a modem 25, or otherwise. It is preferable that a Web server have an Intel® Pentium® processor or equivalent, at least sixteen megabytes (32 MB) of RAM, and at least eight hundred megabytes (800 MB) of data storage. However, a Web server 20 may be implemented using other processors and via other computing devices, including, but not limited to, mainframe computing systems and mini-computers. Web server software handles requests from clients for documents, whether they are text, graphic, multimedia, or virtual. The Web server software may run under the operating system of the Web server.

Other types of servers, such as fax servers and mail servers, may be utilized by the present invention. As used throughout, the term "server" shall include all types of servers including Web, fax, mail, and the like, without limitation. As would be understood by those skilled in the art, fax servers, mail servers, and the like also typically include a central processing unit, a display, a pointing device, a keyboard, access to persistent data storage, and an Internet connection for connecting to the Internet. These servers may have configurations and requirements similar to those of Web servers. These servers may also be implemented using other processors and via other computing devices, including, but not limited to, mainframe computing systems and mini-computers."

Appellant argues there is absolutely no mention made in Austin of tailoring an ordering function to a specific user, as claimed. Claims 20 and 27 are easily patentable over the art of Austin.

7.2 35 U.S.C. 103(e) against claim 19 and 26

Claims 19 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Austin in view of Bateman et al. (hereinafter Bateman) US patent Number 5,884,032.

Examiner's arguments

As per claims 19 and 26, Austin fails to teach selecting COST or IP telephony, the system places a call by an Interactive Voice Response (IVR) unit to the specific user through a telephone number or IP address for the user, and the IVR then interacts with the user to provide specific help to the user. Bateman is directed to a system for coordinating communications via customer contact channel changing system that discloses IP telephony and connection-oriented switched-telephony by placing a call through IVR (see fig I; abstract; col. 6 line 66 to col. 7 line 22). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Bateman's user support system using IVR with Austin's system to establish connection and call interaction between customer and help center. One skill artisan at the time of the invention would be motivated to do so to link and integrate customer to provide information or assistance (col. 2 lines 49-65).

Appellant's response

Appellant relies upon arguments and evidence put forth above, which clearly shows that Austin fails as a primary reference. Because Austin fails, the combination with Bateman also fails. Appellant believes claims 19 and 26 are patentable on their own merits, or at least as depended on a patentable claim.

Appellant strongly believes that all of the claims standing are clearly and unarguably patentable over the art presented by the Examiner. Accordingly, appellant respectfully requests that the Board reverse the rejection of the claims and hold the claims allowable.

8. Claims Appendix

The claims involved in the appeal are:

1-14. (Canceled)

15. (Previously presented) In a communication system with multiple modes of communication, a user support system, comprising:

- an interface for accepting information from outside users and for presenting information to the users; and

- an information software configured to a specific user;

- wherein, upon a contact from the specific user, the information software presents to the user an interface automatically updated with available information according to user interaction and/or request.

16. (Previously presented) The system of claim 15 wherein the information software is accessible and programmable by a worker connected by a computerized workstation to the user support system.

17. (Previously presented) The system of claim 15 wherein media available for information exchange includes one or more of WEB interface, e-mail, interactive voice response, facsimile reception, and downloading of video documents.

18. (Previously presented) The system of claim 15 wherein the specific user may select a media type, initiating a call back in the media selected.

19. (Previously presented) The system of claim 18 wherein, by selecting connection-oriented switched-telephony (COST) or IP telephony, the system places a call by an Interactive Voice Response (IVR) unit to the specific user through a telephone number or

IP address for the user, and the IVR then interacts with the user to provide specific help to the user.

20. (Previously presented) The system of claim 15 further comprising an ordering function tailored to the specific user, the ordering function providing an ordering interface for parts and services.

21. (Previously presented) The system of claim 15 wherein the information software comprises a reporting function, and the reporting function monitors user activity and makes that activity available to an enterprise agent.

22. (Previously presented) A method for providing user support in a multimedia system, comprising steps of:

(a) accepting information from a specific user through an interface; and

(b) presenting to the specific user by an information software configured to the specific user an interface automatically updated with available information according to user interaction and/or request.

23. (Previously presented) The method of claim 22 wherein the information software is accessible and programmable by a worker connected by a computerized workstation to the multimedia system.

24. (Previously presented) The method of claim 22 wherein media available for information exchange includes one or more of WEB interface, e-mail, interactive voice response, facsimile reception, and downloading of video documents.

25. (Previously presented) The method of claim 22 wherein the specific user may select a media type, initiating a call back in the media selected.

26. (Previously presented) The method of claim 25 wherein, by selecting connection-oriented switched-telephony (COST) or IP telephony, the system places a call by an Interactive Voice Response (IVR) unit to the specific user through a telephone number or IP address for the user, and the IVR then interacts with the user to provide specific help to the user.

27. (Previously presented) The method of claim 22 further comprising a step for presenting an ordering function tailored to the specific user, the ordering function providing an ordering interface for parts and services.

28. (Previously presented) The method of claim 22 wherein the information software comprises a reporting function, and the reporting function monitors user activity and makes that activity available to an enterprise agent.

9. Evidence Appendix

No evidence other than the arguments and facts presented in this brief is provided.

10. Related Proceedings Appendix

The present Appeal is the first Appeal submitted to the Board.

Respectfully Submitted,
Christopher Clemmett Macleod Beck et al.

By **/Donald R. Boys/**
Donald R. Boys
Reg. No. 35,074

Central Coast Patent Agency, Inc.
3 Hangar Way, Suite D
Watsonville, CA 95076
831-768-1755